

**AMENDMENTS TO THE CLAIMS:**

Claims 1-3 6, 8-12 (Canceled)

4. (Currently Amended) A hydrogen absorbing alloying powder which is an aggregate of alloy particles each including an Mg matrix and a plurality of ultra-fine particles dispersed in said Mg matrix, said Mg matrix including a plurality of Mg crystals having a grain size  $D_c$  of 1.0  $\mu\text{m}$  or more and 500  $\mu\text{m}$  or less, and said ultra-fine particles having a particle size  $d_0$  of  $10 \text{ nm} \leq d_0 \leq 500 \text{ nm}$ , said ultra-fine particles being at least one type selected from the group consisting of comprising a plurality of Ni ultra-fine particles, Ni alloy ultra-fine particles, and a plurality of Fe ultra-fine particles, the content  $G_P$  of said ultra-fine particles being in a range of 0.1% by atom  $\leq G_P \leq 5.0 \%$  by atom Fe alloy ultra-fine particles, V ultra-fine particles, V alloy ultra-fine particles, Mn ultra-fine particles, Mn alloy ultra-fine particles, Ti ultra-fine particles, Ti alloy ultra-fine particles, Cu ultra-fine particles, Cu alloy ultra-fine particles, Al ultra-fine particles, Al alloy ultra-fine particles, Pd ultra-fine particles, Pd alloy ultra-fine particles, Pt ultra-fine particles, Pt alloy ultra-fine particles, Zr ultra-fine particles, Zr alloy ultra-fine particles, Au ultra-fine particles, Au alloy ultra-fine particles, Ag ultra-fine particles, Ag alloy ultra-fine particles, Co ultra-fine particles, Co alloy ultra-fine particles, Mo ultra-fine particles, Mo alloy ultra-fine particles, Nb ultra-fine particles, Nb alloy ultra-fine particles, Cr ultra-fine particles, Cr alloy ultra-fine particles, Zn ultra-fine particles, Zn alloy ultra-fine particles, Ru ultra-fine particles, Ru alloy ultra-fine particles, Rh ultra-fine particles, Rh alloy ultra-fine particles, Ta ultra-fine particles, Ta alloy ultra-fine particles, Ir ultra-fine

~~Ir alloy ultra fine particles, W ultra fine particles and W alloy ultra fine particles.~~

5. (Original) A hydrogen absorbing alloy powder according to claim 4, wherein the particle size  $d_0$  of said ultra-fine particles is equal to or larger than 100 nm.

7. (Original) A hydrogen absorbing alloy powder according to claim 4 or 5, wherein the content  $G_P$  of said ultra-fine particles is in a range of 0.3% by atom  $\leq G_P \leq 3.0\%$  by atom.

13. (Currently Amended) A hydrogen storing tank for mounting in a vehicle and including a hydrogen absorbing alloy powder therein, said hydrogen absorbing alloy powder being an aggregate of alloy particles each included an Mg matrix and a plurality of ultra-fine particles dispersed in said Mg matrix, said Mg matrix including a plurality of Mg alloy crystals having a grain size  $D_C$  in a range of  $1.0\text{ }\mu\text{m} \leq D_C \leq 500\text{ }\mu\text{m}$ , said ultra-fine particles having a particle size  $d_0$  in a range of  $10\text{ nm} \leq d_0 \leq 500\text{ nm}$ , said ultra-fine particles ~~being at least one type selected from the group consisting of comprising a plurality of Ni ultra-fine particles, Ni alloy ultra-fine particles, and a plurality of Fe ultra-fine particles, the content  $G_P$  of said ultra-fine particles being a range of 0.1 % by atom  $\leq G_P \leq 5.0\%$  by atom~~ Fe alloy ultra-fine particles, V ultra-fine particles, V alloy ultra-fine particles, Mn ultra-fine particles, Mn alloy ultra-fine particles, Ti ultra-fine particles, Ti alloy ultra fine particles, Cu ultra fine particles, Cu alloy ultra fine particles, Al ultra fine particles, Al alloy ultra fine particles, Pd ultra fine particles, Pd alloy ultra fine particles, Pt ultra fine particles, Pt alloy ultra fine particles, Zr ultra fine particles, Zr alloy ultra fine particles, Au ultra fine particles, Au alloy ultra fine particles, Ag ultra fine particles, Ag

~~alloy ultra-fine particles, Co ultra-fine particles, Co alloy ultra-fine particles, Mo ultra-fine particles, Mo alloy ultra-fine particles, Nb ultra-fine particles, Nb alloy ultra-fine particles, Cr ultra-fine particles, Cr alloy ultra-fine particles, Zn ultra-fine particles, Zn alloy ultra-fine particles, Ru ultra-fine particles, Ru alloy ultra-fine particles, Rh ultra-fine particles, Rh alloy ultra-fine particles, Ta ultra-fine particles, Ta alloy ultra-fine particles, Ir ultra-fine particles, Ir alloy ultra-fine particles, W ultra-fine particles and W alloy ultra-fine particles.~~